GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2834
ANSWERED ON:15.03.2001
INHOUSE DISPUTE SETTLEMENT FORUM
RAGHUNATH JHA

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Supreme Court had directed the Government, Public Sector Undertakings and Banks long ago to set up an in-house dispute settlement forum;

(b) if so, whether the Government have set up an internal forum in this regard;

(c) if not, the reasons therefor ;

(d) whether the Government propose to take to ensure that appeals are not filed as a matter of routine and the Government officials responsible for litigation and then losing the cases are brought before the justice; and

(e) if so, the details thereof ?

Answer

MINISTER OF LAW, JUSTICE, COMPANY AFFAIRS AND SHIPPING (SHRI ARUN JAITLEY)

(a) Yes, Sir.

(b) The Government has set up a High Power Committee consisting of Cabinet Secretary; Secretary, Department of Industrial Development; Secretary, Department of Public Enterprises; Secretary, Department of Legal Affairs; Finance Secretary and Secretary of the concerned Department to ensure that no litigation reaches the Court or a Tribunal without the matter having been first examined by the Committee. Apart from this, the Government has set up a Permanent Machinery of Arbitration in the Department of Public Enterprises to settle all commercial disputes between the Public Sector Enterprises interse as well as between a Public Sector Enterprise and a Government Department.

(c) Do not arise.

(d) & (e) Appeals are filed by the Government Departments after obtaining legal opinion from the Department of Legal Affairs.Special Leave Petitions before the Supreme Court are filed only after obtaining the opinion of Law Officers viz. Attorney General, Solicitor General, Additional Solicitor General.